

Appl. No. 09/485,187

REMARKS

Rejection for Alleged Lack of Enablement

As stated on page 11 of the Response submitted on August 4, 2003, the Examiner objected to the Applicants attempt to amend the Specification at page 3. Applicants submitted a replacement paragraph for the paragraph beginning at page 3, line 21 in the Amendment of August 4, 2003. Here, the Applicants corrected the EMBL accession number "G21319" to correctly refer to "GI:21319." Applicants stated in the Amendment of August 4, 2003 that one skilled in the art would readily recognize that the accession number "G21319" was incorrect.

Applicants enclose a Declaration by Dr. Jörg Riemeier that indicates that the EMBL GenBank Accession No. "G21319" is a typographical error. The GenBank identifiers read either "GI:21319" or "gi:21319." The Declaration further refers to a copy of the protein database information that contains these identifiers, which was submitted with the amendment of August 4, 2003 (denoted Annex 2).

In view of Dr. Riemeier's Declaration and the information presented in the August 4, 2003 Amendment and Annexes, Applicants respectfully request reconsideration and removal of the rejection.

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In view of the above remarks, all of the claims remaining in the case are submitted as defining non-obvious, patentable subject matter.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Leonard R. Svensson (Reg. No. 30,330) at 714-708-8555 in Costa Mesa, CA to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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LRS/SWG/sbp
0147-0191P

Respectfully submitted,

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By: [Signature] #46,183
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Attachment : Dr. Jörg Riemeier Declaration & Curriculum Vitae